

DECLARATION OF OIL AND GAS NOTICE

(Tax Map 2, Liberty District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) are owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY

McELROY COAL COMPANY

CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **DENNIS R. McCRACKEN**, its ASST. MANAGER, by authority duly given.

JAN PEST  
MARSHALL County 01:37:15 PM  
Instrument No 1266316  
Date Recorded 03/23/2009  
Document Type O&G  
Book-Page 678-268  
Recording Fee \$6.00  
Additional \$6.00

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By: 

Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

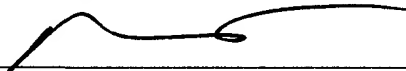
CONSOLIDATION COAL COMPANY  
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.


CONSOL PENNSYLVANIA COAL COMPANY LLC  
a Delaware limited liability company:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY  
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 15 day of January, 2009, by Charles T. Shaynak, its Vice President, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: Charles T. Shaynak

Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: Lloyd C. Price

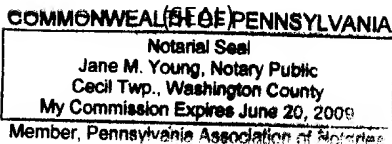
Its: **VICE PRESIDENT**

**NOTE:** PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **DENNIS R. McCRACKEN**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANUARY JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

COMMONWEALTH OF PENNSYLVANIA  
(SEAL)  
Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

(SEAL)  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared LLOYD C. PRICE, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

COMMONWEALTH OF PENNSYLVANIA  
(SEAL)  
Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

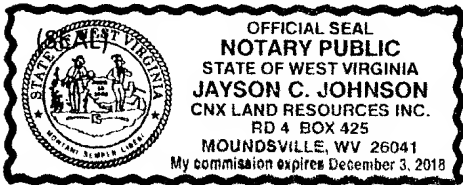
Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

*State of West Virginia*  
~~COMMONWEALTH OF PENNSYLVANIA~~

COUNTY OF Marshall

Before me, Jayson C. Johnson, a Notary Public, on this day personally appeared Charles T. Shaynak, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 15 day of January, 2009.



Jayson C. Johnson  
 Notary Public

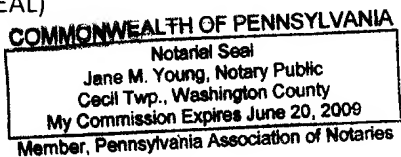
My Commission expires December 3, 2018

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared LLOYD C. PRICE, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

(SEAL)



Jane M. Young  
 Notary Public

My Commission expires \_\_\_\_\_

This Document Prepared By:

J. Kevin Ellis

WV Bar No. 9964

Steptoe & Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

**EXHIBIT A - SURFACE TRACTS (McELROY MINE)**  
**Tax Map 2, Liberty District, Marshall County, West Virginia**

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
2	1	HUBBS	JAMES TIMOTHY	RR 5 BOX 576	CAMERON	WV	26033	65.70 MAGGOTY	594/227
2	2	PARSONS	WILLIAM ET UX	RD 5 BOX 547	CAMERON	WV	26033	56.08 MAGGOTY	394/548
2	3	FRYE	BARBARA & RICKIE	RD 5 BOX 560	CAMERON	WV	26033	11.24 MAGGOTY	632/170
2	3.1	FRYE	BERNARD & GENE	RD 5 BOX 548	CAMERON	WV	26033	37.8578 MAGGOTY	WB66/163
2	4	DAVIS	JOHN KEITH ET UX	RD 5 BOX 122-1	MOUNDSVILLE	WV	26041	58.08 MAGGOTY	523/514
2	5	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	20.915 A MAGGOTY	654/305
2	7	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	12.825 MAGGOTY	654/305
2	10	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	12.559 MAGGOTY	654/305
2	10.1	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	8.391 A MAGGOTY 1992 MOBILE HOME	656/45
2	11	PARSONS	WILLIAM ET UX	RD 5 BOX 547	CAMERON	WV	26033	16.83 MAGGOTY	372/439
2	12	PARSONS	WILLIAM ET UX	RD 5 BOX 547	CAMERON	WV	26033	83.08 A MAGGOTY & 1/2 INT 87 OIL	372/439
2	14	CECIL	ROBERT GENE ET UX	RD 5 BOX 563	CAMERON	WV	26033	31.918 & 1/2 O&G ROY MAGGOTY	414/199
2	15	PARSONS	WILLIAM ET UX	RD 5 BOX 547	CAMERON	WV	26033	14.79 MAGGOTY POLE BARN	372/439
2	17	PARSONS	WILLIAM ET UX	RD 5 BOX 547	CAMERON	WV	26033	29.312 MAGGOTY	372/439
2	18	PARSONS	WILLIAM ET UX	RD 5 BOX 547	CAMERON	WV	26033	PT 56.06 MAGGOTY	372/439
2	19	CONSOLIDATION	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	54.6 MAGGOTY	650/341
2	20	CONSOLIDATION	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	33.778 MAGGOTY	650/341
2	21	SKRYPEK	ANTHONY M	RD 5 BOX 632	CAMERON	WV	26033	32 MAGGOTY	567/607
2	21.1	CONSOLIDATION	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	12 A MAGGOTY	650/341
2	22	CONSOLIDATION	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	48 A 150 P MAGGOTY	650/341
2	23	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	10.48 MAGGOTY	647/298
2	24	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	10.21 MAGGOTY	647/298
2	25	McCOY	RONALD M ET UX	1529 8TH ST	MOUNDSVILLE	WV	26041	12.80 MAGGOTY	561/144
2	26	RAMSEY	MICHAEL & MELISSA	35 MAPLE	CAMERON	WV	26033	30.59 MAGGOTY	666/176
2	27	BONGIORNO	DAVID CURTIS	3484 RT 40	WASHINGTON	PA	15301	6.382 MAGGOTY 1973 MOBILE HOME	591/540
2	27.1	CECIL	ROBERT GENE ET UX	RD 5 BOX 563	CAMERON	WV	26033	10 A MAGGOTY	644/559
2	27.2	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	20 A MAGGOTY	654/93
2	27.5	BAMBIG	KENNETH L	RR 5 BOX 544 B	CAMERON	WV	26033	10 A MAGGOTY	644/559
2	28	McCOY	RONALD M ET UX	1529 8TH ST	MOUNDSVILLE	WV	26041	93.80 MAGGOTY	561/144
2	29	CONSOLIDATION	COAL COMPANY	CONSOL ENERGY DR	CANONSBURG	PA	15317	52.125 ACRES MAGGOTY	650/341
2	30	STERN	GARY ET UX	RD 5 BOX 628	CAMERON	WV	26033	10.50 CAMERON RIDGE	603/464
2	31	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	15.62 CAMERON RIDGE	666/313
2	32	McELROY	COAL COMPANY	1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	44.21 A MAGGOTY	666/313

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 23rd day of January, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 23rd day of March, 2009 at 1:37 o'clock P.M.

TESTE: Jan Pest Clerk.